

OIPE 4203

### N THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Robert Falotico, et al.

Serial No.: 10/829,074

Art Unit: 3743

Filed

: April 21, 2004

Examiner: Not yet assigned

For

: Drug/drug DELIVERY SYSTEMS FOR THE PREVENTION AND

TREATMENT OF VASCULAR DISEASE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

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Carl J. Evens
(Name of applicant, assignee, or Registered Representative
/Carl J. Evens/
(Signature)
October 18, 2005
(Date of Signature)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

#### INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under \$1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in \$1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under \$1.114, no additional fee is required.

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first or _second After Final Submission, therefore:
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Information Disclosure Statement. Included are: Statement in
Accordance with §1.97(e) as set forth below and the fee of
<u>\$180.00</u> as set forth in §1.17(p).
Copies of each of the references listed on the
attached Form PTO-1449 are enclosed herewith.
Copies of references listed on the attached Form PTC 1449 are enclosed herewith EXCEPT THAT:
<pre>In view of the voluminous nature of references</pre>
[list as appropriate], and the likelihood that
these references are available to the Examiner,
copies are not enclosed herewith.
If any of the foregoing publications are not
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endeavor to supply copies at the Examiner's
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☐ Copies of only foreign patent documents and non-
patent literature are enclosed in accordance with 37 CFR 1.98

(a)(2).

igtriangle There are no listed	references which are not in the
English language.	****
The relevance of the	ose listed references which are
not in the English language is	s as follows:
Attached are copies	of search report(s) from
corresponding patent applicati	on(s), which are listed on the
attached Submission Under MPEF	P 609 D.
	·
Attached are the fol	lowing non-published pending
patent applications which may	be deemed relevant, which are
listed on the attached Submiss	ion Under MPEP 609 D.
Please charge any deficie	ency or credit any overpayment to
Deposit Account No. 10-0750/CR	D0931CIP/CJE. This form is
submitted in triplicate.	
	Respectfully submitted,
	/Carl J. Evens/
	Carl J. Evens
	Reg. No. 33,874
	Attorney for Applicants

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-2518
DATED: October 18, 2005

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Sheet 1 of 19

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Application Number	10/829,074					
Filing Date	4/21/2004					
First Named Inventor	Robert Falotico					
Group Art Unit	3743					
Examiner Name						
Attorney Docket Number	CRD0931CIP					

**U.S. PATENT DOCUMENTS** 

U.S. Patent Document					Dance Caluman Live	
Examiner Initials	Cite No: <sup>1</sup>	Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		D359,802		Fontaine	6/27/1995	
		2001/0007083	A1	Roorda (PATENT APP. PUBLICATION)	7/05/2001	
		2001/0029660	A1	Johnson, Michael W.	10/18/2001	
		2001/0032014	A1	Yang, Dachuan et al.	10/18/2001	
		2001/0034363	A1	Li, Chun et al.	10/25/2001	
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		3,657,744		Ersek	4/25/1972	
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		4,292,965		Nash et al.	10/06/1981	
1		4,441,216		lonescu et al.	4/10/1984	
		4,503,569		Dotter	3/12/1985	
		4,553,545		Maass et al.	11/19/1985	
		4,580,568		Gianturco	4/8/1986	
		4,613,665		Larm	9/23/1986	
		4,655,771		Wallsten	4/07/1987	
		4,733,665		Palmaz	3/29/1988	
		4,739,762		Palmaz, J.C.	4/26/1988	
		4,776,337		Palmaz	10/11/1988	
		4,800,882		Gianturco	1/31/1989	
		4,856,516		Hillstead	8/15/1989	

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4/21/2004					
Robert Falotico					
3743					
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#### **U.S. PATENT DOCUMENTS**

		U.S. Patent Document				
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		4,872,867		Joh	10/10/1989	
		4,886,062		Wiktor	12/12/1989	
		4,907,336		Gianturco	3/13/1990	
·		4,916,193		Tang et al.	4/10/1990	
		4,954,126		Wallsten	9/4/1990	
		4,969,458		Wiktor	11/13/1990	
		4,990,131		Dardik	2/5/1991	
		4,990,155		Wilkoff	2/5/1991	
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		5,053,048		Pinchuk	10/01/1991	
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		5,061,750		Feijen, J. et al.	10/29/1991	
		5,064,435		Porter	11/12/1991	

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Signature	 Considered	

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		5,092,877		Pinchuk	3/3/1992	
		5,102,417		Palmaz	4/7/1992	
•		5,104,404		Wolff	4/14/1992	
_		5,116,365		Hillstead	5/26/1992	
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		5,131,908		Dardik et al.	7/21/1992	
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		5,171,262		MacGregor	12/15/1992	
		5,176,660		Truckai .	1/5/1993	
	<u> </u>	5,178,618		Kandarpa	1/12/1993	
		5,180,366		Woods	1/19/1993	
		5,182,317		Winters et al.	1/26/1993	
		5,185,408		Tang et al.	2-09/1993	
		5,192,307		Wall	3/9/1993	
		5,195,984		Shalz	3/23/1993	
		5,213,576		Abiuso, C.L. et al.	5/25/1993	
		5,217,483	·	Tower	6/8/1993	
		5,222,971		Willard et al.	6/29/1993	

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Signature	Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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		5,226,913		Pinchuk	7/13/1993	
		5,234,456		Silvestrini, T.	8/10/1993	
		5,246,445	·	Yachia et al.	9/21/1993	
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		5,266,073		Wall	11/30/1993	
		5,275,622		Lazarus et al.	1/4/1994	
		5,282,823		Schwartz et al.	2/1/1994	
		5,282,824		Gianturco	2/1/1994	·
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		5,290,305		Inoue	3/1/1994	
		5,292,331		Boneau	3/8/1994	
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		5,304,121		Sahatjian	4/19/1994	
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		5,308,889		Rhee et al.	5/3/1994	
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Signature	Considered

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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		U.S. Patent Document			Data of Bublication	D 0-1 1:
Examiner Initials	Cite No. <sup>1</sup>		d Code <sup>2</sup> (known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		5,314,472		Fontaine	5/24/1994	
		5,328,471		Slepian, M.J.	7/12/1994	
		5,334,301		Heinke et al.	8/2/1994	
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		5,380,299		Fearnot et al.	1/10/1995	

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Signature	Considered	

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Application Number	10/829,074
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### **U.S. PATENT DOCUMENTS**

	U.S. Patent Document			B.4. (B.1)	2 01 11	
Examiner Initials	Cite No. <sup>1</sup>	Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		5,382,261		Palmaz	1/17/1995	
		5,383,928		Scott et al.	1/24/1995	
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		5,439,446		Barry, J.	8/8/1995	
		5,441,515		Khosravi et al.	8/15/1995	
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		5,441,947	'	Dodge, J.A. et al.	8/15/1995	

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		5,527,354		Fontaine et al.	6/18/1996	
		5,545,208		Wolff et al.	8/13/1996	
		5,551,954		Buscemi, P.J. et al.	9/3/1996	

Examiner	Date	
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Signature	Considered	

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Application Number	10/829,074				
Filing Date	4/21/2004				
First Named Inventor	Robert Falotico				
Group Art Unit	3743				
Examiner Name					
Attorney Docket Number	CRD0931CIP				

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Examiner	Date	
Signature	Considered	

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Application Number	10/829,074
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First Named Inventor	Robert Falotico
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,	Filing Date	4/21/2004					
1	First Named Inventor	Robert Falotico					
	Group Art Unit	3743					
1	Examiner Name						
i	Attorney Docket Number	CRD0931CIP					

		Sileet 10		U.S. PATENT DOCUMENTS		
Examiner Cite U.S. Patent Document  Kind Code <sup>2</sup>		Name of Patentee or Applicant	Date of Publication	Pages, Columns, Lines,		
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		U.S. Patent Document				
Examiner Initials	Cite No. <sup>1</sup>		nd Code <sup>2</sup> f known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
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Application Number	10/829,074				
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First Named Inventor	Robert Falotico				
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	Application Number	10/829,074					
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Examiner		U.S. Patent Document				
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Rakos, et al.

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Application Number	10/829,074
Filing Date	4/21/2004
First Named Inventor	Robert Falotico
Group Art Unit	3743
Examiner Name	
Attorney Docket Number	CRD0931CIP

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Examiner	Cite		Patent Docume		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant	T,
Initials	No. <sup>1</sup>	Office <sup>3</sup>	Number⁴ Kir	ndCode <sup>5</sup>	Applicant of once bocament		figures appear	_
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	Cite No.1	Office <sup>3</sup>	Office <sup>3</sup> Number <sup>4</sup> KindCode <sup>5</sup>		Applicant of Cited Document	mm-dd-yyyy	passages or relevant figures appear	T⁵	
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		RUEF, JOHANNES MD, et al.; "Flavopiridol Inhibits Smooth Muscle Cell Proliferation In Vitro and Neointimal Formation In Vivo After Carotid Injury In The Rat"; From the Division of Cardiology and Sealy Center for Molecular Cardiology, University of Texas Medical Branch, Galveston; Accepted April 9, 1999; Circulation August 10, 1999; pp 659-665.	

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Application Number 10/829,074
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First Named Inventor Robert Falotico
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Examiner Name
Attorney Docket Number CRD0931CIP

Page 1 of 1

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